

Procurement Bill [HL]

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 11

LORD HUNT OF KINGS HEATH

Page 8, line 38, at end insert –

- “(e) acting to improve economic, social, environmental and cultural well-being by carrying out public procurement in a socially responsible way.”

Member’s explanatory statement

This amendment would add economic, social, environmental and cultural well-being to the procurement objectives set out in the Clause that a contracting authority must have regard to the importance of.

Clause 12

LORD HUNT OF KINGS HEATH

Page 9, line 27, at end insert –

“(9A) The national procurement policy statement must specify –

- (a) how a public body carries out public procurement in a socially responsible way in accordance with sustainable development principles, and
- (b) that, in any outsourcing contract entered into by a public body, the contractor must provide services in accordance with sustainable development principles.”

Member’s explanatory statement

This amendment would ensure that sustainable development principles are incorporated within the national procurement policy statement.

Page 9, line 27, at end insert –

“(9A) The national procurement policy statement must specify how public bodies in the awarding of public contracts are expected to abide by the policy statement on environment principles in accordance with section 18 of the Environment Act 2021.”

Member's explanatory statement

This amendment is aimed at ensuring that procurement policy, as enunciated in the National Procurement policy statement, is consistent with the policy statement on environmental principles established under the Environment Act 2021 which sets out how ministers should apply the environmental principles, established under that Act, to support environmental protection and enhancement.

Clause 13

LORD HUNT OF KINGS HEATH

Page 10, line 7, at end insert—

“(3A) The Wales procurement policy statement must specify—

- (a) how a public body carries out public procurement in a socially responsible way in accordance with sustainable development principles, and
- (b) that in any outsourcing contract entered into by a public body, the contractor must provide services in accordance with sustainable development principles.”

Member's explanatory statement

This amendment would ensure that sustainable development principles are incorporated within the Wales procurement policy statement.

After Clause 13

LORD HUNT OF KINGS HEATH

Insert the following new Clause—

“Environmental requirement for public sector procurement policy

In section 23 of the Environment Act 2021, after subsection (4)(c) insert—

- “(d) how the OEP will ensure that public sector procurement policy is consistent with contributing to environmental protection and the improvement of the natural environment.”

Member's explanatory statement

The amendment adds to the requirements set out on Section 23 of the Environment Act 2021 for what needs to be set out in the strategy of the Office for Environmental Protection in order to ensure that public sector procurement policy is consistent with environmental protection and the requirement to improve the natural environment.

After Clause 61

BARONESS STROUD

Insert the following new Clause—

“Supply chain resilience against economic coercion and slavery

- (1) The Secretary of State must by regulations make provision for reducing the dependency of public bodies upon goods and services which originate in whole or in part in a country considered by the United Kingdom as either a systemic competitor or a threat.

After Clause 61 - continued

- (2) A country is “considered by the United Kingdom as either a systemic competitor or a threat” if it was defined as such in the latest Integrated Review of Security, Defence, Development and Foreign Policy.
- (3) The regulations under subsection (1) may, in particular, include—
 - (a) provision for an annual review of the dependency of public bodies upon countries which are considered by the United Kingdom as systemic competitors or threats;
 - (b) provision for the setting of acceptable dependency thresholds across all categories of public procurement.
- (4) The Secretary of State must by regulations make provision for eradicating from all public contracts goods or services that are tainted by slavery and human trafficking.
- (5) The regulations under subsection (4) may, in particular, include—
 - (a) provision in connection with the processes to be followed by public bodies in the procurement of goods or services for the purposes of public contracts;
 - (b) provision as to steps that must be taken by public bodies for assessing and addressing the risk of slavery and human trafficking taking place in relation to people involved in public bodies’ supply chains;
 - (c) provision as to matters for which provision must be made in contracts for goods or services entered into by public bodies;
 - (d) provision as to the standards of disclosure and transparency required for all contractors or prospective contractors, which must, at a minimum, include publication and verification of information about the country of origin of all sourcing inputs in their supply chain;
 - (e) provision for the public disclosure of the names of contractors or prospective contractors whose supply chains are considered tainted by slavery and human trafficking;
 - (f) provision for the publication and dissemination of a risk register detailing areas from which goods cannot be sourced without unreasonable risk of slavery and human trafficking being present in supply chains.
- (6) In this section—

“public body” means a body exercising functions of a public nature;

“slavery and human trafficking” has the meaning given by section 54(12) of the Modern Slavery Act 2015;

goods or services are “tainted” by slavery and human trafficking if slavery and human trafficking take place in relation to anyone involved in the supply chain for providing those goods or services.”

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10 June 2022
